In the Claims:

Please amend the claims as indicted below. The Listing of Claims will replace all prior versions, and listings, of claims in the application:

1. Cancelled.

2. (Currently amended) The method of claim 20 ~~claim 1~~ wherein the amplification is carried out using a thermostable nucleic acid polymerase.

3. (Currently amended) The method of claim 20 ~~claim 1~~ wherein the fluorophore on the first probe and the quencher molecule on the second probe are on complementary base pairs.

4. (Currently amended) The method of claim 20 ~~claim 1~~ wherein the fluorophore and quencher molecules are within about 1 to 3 hybridized base pairs of each other.

5. (Currently amended) The method of claim 20 ~~claim 1~~ wherein the fluorophore and quencher molecules are within 3 or more hybridized base pairs of each other.

6. (Currently amended) The method of claim 20 ~~claim 1~~ wherein the fluorophore is on the 5' terminal nucleotide of the first probe and the quencher is on the 3' terminal nucleotide of the second probe.

7. (Currently amended) The method of claim 20 ~~claim 1~~ wherein the fluorophore is on the 3' terminal nucleotide of the first probe and the quencher is on the 5' terminal nucleotide of the second probe.

8. (Currently amended) The method of claim 20 ~~claim 1~~ wherein the second probe is shorter than the first probe by deletion of 3 or 3' terminal nucleotides from the nucleotide sequence of the first probe.

9. (Currently amended) The method of claim 20 ~~claim 1~~ wherein the second probe is shorter than the first probe by deletion of 3 or more 3' terminal nucleotides from the nucleotide sequence of the first probe.

10. (Currently amended) The method of claim 20 ~~claim 1~~ wherein the second probe is shorter than the first probe by deletion of 3 or more 5' terminal nucleotides, and deletion of 1 or more 3' terminal nucleotides of the first probe.

11. (Currently amended) The method of claim 20 ~~claim 1~~ wherein the first and second probes have a dissociation temperature difference of 2 degrees or more.

12. (Cancelled)

13. (Cancelled)

14. (Currently amended) The method of claim 20 ~~claim 1~~ wherein the first probe has the sequence of SEQ ID NO. 3.

15. (Currently amended) The method of claim 20 ~~claim 1~~ wherein the first probe has the sequence of SEQ ID NO. 4.

16. (Currently amended) The method of claim 20 ~~claim 1~~ wherein the amplification method is the polymerase chain reaction and wherein a primer for use in the polymerase chain reaction has the sequence of SEQ ID NO. 1.

17. (Currently amended) The method of claim 20 ~~claim 1~~ wherein the amplification method is the polymerase chain reaction and wherein a primer for use in the polymerase chain reaction has the sequence of SEQ ID NO. 2.

18. (Currently amended) The method of claim 20 ~~claim 1~~ wherein the target polynucleotide is a polynucleotide comprising the hepatitis C virus ~~HCV~~ genome or segment thereof.

19. (Currently amended) The method of claim 20 ~~claim 1~~ wherein the method of amplification is selected from the group consisting of ligase chain reaction, gap ligase chain reaction, transcription mediated amplification, nucleic acid sequence based amplification and strand displacement amplification.

20. (New) A method for monitoring nucleic acid amplification comprising:

amplifying a target nucleic acid and monitoring amplification using a first oligonucleotide probe and a second oligonucleotide probe,

said first probe;

i) can hybridize to the target nucleic acid;

ii) comprises a fluorophore; and

iii) is longer than said second probe;

said second probe;

i) can hybridize to said first probe; and

ii) has a quencher molecule which quenches said first probe fluorophore when said first and second probes are hybridized to each other;

detecting fluorescence of said first probe fluorophore to monitor amplification, wherein an increase in fluorescence correlates with amplification.

21. (New) The method of claim 20 wherein the amplification method includes the use of a primer pair that flanks the first and second probe.

22. (New) The method of claim 20 wherein the longer probe binds preferentially to the target polynucleotide and when preferentially bound to the target polynucleotide the fluorescence intensity of the fluorophore is greater than the fluorescence intensity of the fluorophore when hybridized to the second probe.